

Docket No.: F03-354-USDiv
FUJIT.044 DIV



JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Hisaki KATO, et al.

Serial No.: 10/634,836

Group Art Unit: 2822

Filed: August 6, 2003

Examiner: Keisha L. Rose

For: LIGHT-EMITTING SEMICONDUCTOR DEVICE USING GALLIUM NITRIDE
COMPOUND SEMICONDUCTOR

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

**THIRD REQUEST FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants respectfully request that the Information Disclosure Statement submitted and filed on **July 6, 2005**, be officially considered of record.

On July 19, 2005 a Request for Consideration of Information Statement was filed, requesting consideration of an IDS filed on July 6, 2005. As a courtesy to the Examiner, a copy of the form PTO-1449 (for the IDS filed on July 6, 2005) was included with the Request for Consideration. Applicants submit that an IDS was not filed on July 19, 2005.

In a Communication dated October 03, 2005, the Examiner indicated that "[t]he information disclosure statement filed 7/19/05 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document".

However, Applicants again point out that Applicants' submission dated July 19, 2005 was not an information disclosure statement. Applicants' submission dated July 19, 2005 was a Request for Consideration of the IDS previously filed on July 6, 2005. Legible copies of the cited references were included with the information disclosure statement, which was filed July 6, 2005 (see date-stamped USPTO filing receipt).


Docket No.: F03-354-USDiv
FUJIT.044DIV

In accordance with the teleconference with the examiner today, we are enclosing herewith a copy of the original IDS filed on July 6, 2005, and a copy of the references.

Thus, Applicants again respectfully request that the Examiner officially acknowledge the disclosed information *filed July 6, 2005* and promptly return the initialed Form PTO-1449.

Date: January 31, 2006

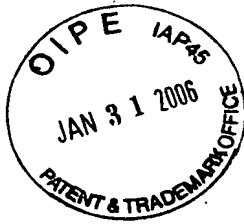
Respectfully submitted,



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254



Attorney's Post Card Filing Receipt Smr/19
Serial Number: 161 634 836 Papers Filed On: 7/6/05

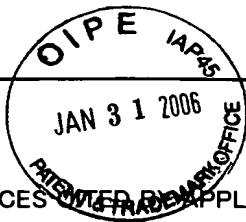
Attorney's Docket Number: FO3 354-451 ☒ Patent ☐ Trademark

Applicant's Name: Hisaki KATO, et al, Application Filing Date: 8/6/03
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief
☒ IDS JUL 8 6 2005 ☒ 1449 Form w/ 2 Documents ☐ Priority Document(s)
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts
☒ Other Japanese Opp. e. Action, dtd 5/24/05

Fees Filed Herewith: \$ ☐ Check ☐ Charge Deposit Account:

Hand Delivered



LIST OF REFERENCES CITED BY APPLICANT	ATTORNEY DOCKET NO.		SERIAL NO.
	F03-354-USdiv		10/166,371
	APPLICANT	Toyoda Gosei Co., Ltd.	
	FILING DATE	GROUP	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION
	AL	H7-7182	Jan/10/1995	Nakamura et al.			Yes
	AM						
	AN						
	AO						

OTHER REFERENCES

		Nakamura et al. "Ridge-geometry InGaN multi-quantum-well-structure laser diodes," APPLIED PHYSICS LETTERS, 1996-9-2, Vol.69, No.10, p1477-1479